

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION CONCERNING THE	)	
PROPRIETY OF PROVISION OF	)	
INTERLATA SERVICES BY BELL SOUTH	)	CASE NO. 96-608
TELECOMMUNICATIONS, INC. PURSUANT	)	
TO THE TELECOMMUNICATIONS ACT OF	)	
1996	)	

O R D E R

On June 22, 1998, BellSouth Telecommunications, Inc. ("BellSouth") filed in this case its updated Statement of Generally Available Terms ("SGAT"), together with supporting documents and a motion for an Order that both approves the SGAT and determines that BellSouth's entry into the in-region, interLATA market in Kentucky is appropriate pursuant to 47 U.S.C. § 271. This case was established by this Commission on December 20, 1996, to compile a record that will enable it to advise the Federal Communications Commission ("FCC") in determining whether BellSouth should enter the in-region, interLATA market in Kentucky.

By Order dated August 21, 1997, the Commission found that in-region, interLATA entry under 47 U.S.C. § 271(c)(1)(B) is not available to BellSouth and therefore determined that it would not consider the SGAT in that docket. The terms of the SGAT are relevant in proceedings pursuant to 47 U.S.C. § 271(c)(1)(B), when no qualifying requests for interconnection have been received by a Bell Operating Company. As this Commission has previously held, such is not the case in Kentucky. The Commission reaffirms its decision to focus in this proceeding on BellSouth's existing agreements with

competitors that have been approved under section 252 and BellSouth's provision of "access and interconnection" to competing carriers. Because the documents filed in this docket by BellSouth on June 22, 1998, have been placed in Case No. 98-348,<sup>1</sup> BellSouth should refile, in this case, information directly relevant to its impending petition to the FCC to be permitted to enter the in-region, interLATA market in Kentucky pursuant to 47 U.S.C. § 271(c)(1)(A).

Moreover, because BellSouth has informed the Commission that it plans to petition the FCC for approval on or after September 19, 1998, it is appropriate to establish a procedural schedule to supplement the record compiled in this case so that this Commission may accurately advise the FCC at the appropriate time.

A great deal of evidence has previously been filed in this case. However, much of it may now be obsolete. Accordingly, a party filing supplemental testimony should include in that testimony any necessary corrections or updates to that previously submitted. In the alternative, any party may file testimony that wholly supersedes evidence it previously has offered.

The Commission also finds it appropriate to schedule a formal conference at BellSouth's offices at 1535 Twilight Trail, Frankfort, Kentucky to assist it in determining the adequacy of BellSouth's operator support systems. Witnesses shall be sworn and their testimony shall be subject to cross-examination.

At the formal hearing in this matter to be held on August 20, 1998, at 9:00 a.m., neither opening statements nor witnesses' summaries of prefiled direct testimony will be

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<sup>1</sup>Case No. 98-348, Investigation Regarding Compliance of the Statement of Generally Available Terms of BellSouth Telecommunications, Inc. with Section 251 and Section 252(d) of the Telecommunications Act of 1996.

permitted. In addition, legal arguments that are susceptible to being made by written motion prior to the hearing shall be so made, and shall be addressed by written order rather than from the bench if time permits.

The Commission being sufficiently advised, IT IS HEREBY ORDERED that:

1. BellSouth shall file information including direct testimony which is relevant to its impending petition as indicated herein no later than July 20, 1998.

2. Direct testimony of intervenors shall be prefiled no later than August 3, 1998.

3. A formal conference shall be held at 9:00 a.m. on August 6, 1998 at 1535 Twilight Trail, Frankfort, Kentucky so that BellSouth may demonstrate the current capabilities of its operator support systems.

4. BellSouth shall file, no later than July 30, 1998, a brief description of the demonstration it will offer at that conference.

5. Each party shall file a list of its witnesses in the order in which they are expected to be called, together with a brief summary of the matters to which each witness shall testify, no later than August 13, 1998.


6. A formal hearing in this matter is scheduled for August 20, 1998 at 9:00 a.m. in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky.

Done at Frankfort, Kentucky, this 7th day of July, 1998.

PUBLIC SERVICE COMMISSION

  
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For the Commission

ATTEST:

  
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Executive Director